

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Michael J. Szudarek
Debtor(s)

Bankruptcy Case No.: 21-21330-CMB

Chapter: 13
Docket No.: 26 – 20
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 7/19/2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Revenue (CL #6) Cavalry (CI #10) .
- ☒ H. Additional Terms: Capital One Auto Finance (CI #16) governs as to amount at contract interest rate, payment determined by Trustee to pay in full.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

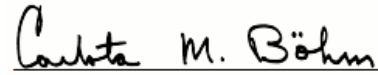
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: August 24, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Michael J. Szudarek
Debtor

Case No. 21-21330-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Aug 24, 2021

User: dsaw
Form ID: 149

Page 1 of 4
Total Noticed: 64

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 26, 2021:

Recip ID	Recipient Name and Address
db	+ Michael J. Szudarek, 4523 Zane Place, Pittsburgh, PA 15214-1330
cr	+ American Express National Bank c/o Zwicker & Assoc, 80 Minuteman Road, P.O. Box 9043, Andover, MA 01810-0943
15393883	AMEX TRS Co., Inc., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15382243	Alltran, PO Box 722929, Houston, TX 77272-2929
15382244	+ American Express Corporation, Attn Bankruptcy Dept, Po Box 981540, El Paso, TX 79998-1540
15382245	+ American Express Corporation, Po Box 981531, El Paso, TX 79998-1531
15387226	+ American Express National Bank, AENB, c/o Zwicker and Associates, P.C., Attorneys/Agents for Creditor, P.O. Box 9043, Andover, MA 01810-0943
15382246	+ Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15382247	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank of America, Po Box 982238, El Paso, TX 79998
15382248	+ Bank of America, 4909 Savarese Circle, Fl1-908-01-50, Tampa, FL 33634-2413
15389257	+ Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
15397726	+ Brickhouse OpCo I LLC, 4053 Maple Road Suite 122, Amherst, NY 14226-1058
15382258	David J. Apothaker, Esq., Apothaker & Apothaker, 520 Fellowship Road, Suite C-306, Po Box 5496, Mount Laurel, NJ 08054-5496
15397081	David J. Apothaker, Esq., Apothaker Scian PC, 520 Fellowship Road, Suite C-306, Po Box 5496, Mount Laurel, NJ 08054-5496
15382261	+ First National Bank of Omaha, Attn Bankruptcy Dept, Po Box 3128, Omaha, NE 68103-0128
15382263	+ First National Bank of Omaha, Attn: Bankruptcy, Po Box 3128, Omaha, NE 68103-0128
15394848	+ JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
15382266	Nationwide Credit Inc., Po Box 15130, Wilmington, DE 19850-5130
15391451	+ Quicken Loans, LLC, 635 Woodward Avenue, Detroit MI 48226-3408
15382282	+ Target, c/o Financial & Retail Svcs, Mailstop BT POB 9475, Minneapolis, MN 55440-9475
15382281	+ Target, c/o TD Bank, Po Box 673, Minneapolis, MN 55440-0673
15382285	+ Waste Management Company, c/o Receivable Management Services LLC, Po Box 19646, Minneapolis, MN 55419-0646
15382286	+ Waste Management Company, 2625 W. Grandview Road, Phoenix, AZ 85023-3109
15397088	Weltman, Weinberg & Reis Co., LPA, 436 7TH Ave., Ste 2500, Pittsburgh, PA 15219-1842

TOTAL: 24

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Aug 24 2021 23:29:27	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/PDF: rmscedi@recoverycorp.com	Aug 24 2021 23:29:01	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15382249	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Aug 24 2021 23:29:26	Capital One, Attn. Bankruptcy Dept, Po Box 30285, Salt Lake City, UT 84130-0285
15382251	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Aug 24 2021 23:28:55	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15382254	+ Email/PDF: AIS.COAF.EBN@Americaninfosource.com	Aug 24 2021 23:29:01	Capital One Auto Finance, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15382253	+ Email/PDF: AIS.COAF.EBN@Americaninfosource.com		

District/off: 0315-2

User: dsaw

Page 2 of 4

Date Rcvd: Aug 24, 2021

Form ID: 149

Total Noticed: 64

		Aug 24 2021 23:29:01	Capital One Auto Finance, Attn Bankruptcy Dept., Po Box 30285, Salt Lake City, UT 84130-0285
15398059	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Aug 24 2021 23:29:27	Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
15388366	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Aug 24 2021 23:29:26	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15394883	+ Email/Text: bankruptcy@cavps.com	Aug 24 2021 23:25:00	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
15382256	+ Email/Text: bankruptcy@cavps.com	Aug 24 2021 23:25:00	CitiBank, c/o Cavalry Portfolio Services, 500 Summit Lake Drive, Suite 400, Valhalla, NY 10595-2321
15382257	+ Email/Text: bankruptcy@sw-credit.com	Aug 24 2021 23:25:00	Comcast, c/o Southwest Credit Systems, 4120 International Parkway, #100, Carrollton, TX 75007-1957
15385441	+ Email/Text: mrdiscen@discover.com	Aug 24 2021 23:25:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany Ohio 43054-3025
15382260	+ Email/Text: mrdiscen@discover.com	Aug 24 2021 23:25:00	Discover Financial, Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
15382259	+ Email/Text: mrdiscen@discover.com	Aug 24 2021 23:25:00	Discover Financial, Attn Bankruptcy Dept, Po Box 3025, New Albany, OH 43054-3025
15401651	+ Email/Text: kburkley@bernsteinlaw.com	Aug 24 2021 23:25:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15396482	Email/Text: JCAP_BNC_Notices@jcap.com	Aug 24 2021 23:25:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud MN 56302-9617
15382255	Email/PDF: ais.chase.ebn@americaninfosource.com	Aug 24 2021 23:29:15	Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850
15382265	Email/PDF: ais.chase.ebn@americaninfosource.com	Aug 24 2021 23:29:15	JP Morgan Chase Bank, c/o Bankruptcy Dept, Po Box 15298, Wilmington, DE 19850
15397084	Email/Text: RVSVCBICNOTICE1@state.pa.us	Aug 24 2021 23:25:00	PA Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0946
15402375	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Aug 24 2021 23:29:01	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15397085	+ Email/Text: paparalegals@pandf.us	Aug 24 2021 23:25:00	Patenaude & Felix, A.P.C, 501 Corporate Drive, Southpointe Center, Suite 205, Canonsburg, PA 15317-8584
15390796	Email/Text: RVSVCBICNOTICE1@state.pa.us	Aug 24 2021 23:25:00	Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg PA 17128-0946
15382268	+ Email/Text: bankruptcyteam@quickenloans.com	Aug 24 2021 23:25:00	Quicken Loans, Attn: Bankruptcy, 1050 Woodward Avenue, Detroit, MI 48226-3573
15382267	+ Email/Text: bankruptcyteam@quickenloans.com	Aug 24 2021 23:25:00	Quicken Loans, 1050 Woodward Ave, Detroit, MI 48226-3573
15382269	+ Email/Text: bankruptcy@sw-credit.com	Aug 24 2021 23:25:00	Southwest Credit Systems, 4120 International Parkway, Carrollton, TX 75007-1958
15382270	+ Email/Text: bankruptcy@sw-credit.com	Aug 24 2021 23:25:00	Southwest Credit Systems, 4120 International Parkway #100, Carrollton, TX 75007-1958
15382271	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:16	Synch/PPC, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15398055	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:26	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15382272	+ Email/PDF: gecsed@recoverycorp.com		

District/off: 0315-2

User: dsaw

Page 3 of 4

Date Rcvd: Aug 24, 2021

Form ID: 149

Total Noticed: 64

15382830	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:26	Synchrony Bank, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15382274	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:26	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15382275	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:26	Synchrony Bank - JC Penney, Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15382276	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:16	Synchrony Bank - Paypal Credit, Po Box 965060, Orlando, FL 32896-5060
15382278	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:15	Synchrony Bank - Sam's Club, Attn Bankruptcy Dept., Po Box 965060, Orlando, FL 32896-5060
15382277	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:26	Synchrony Bank/Amazon, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15382279	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:26	Synchrony Bank/Amazon, Attn Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15382280	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:26	Synchrony Bank/Sams Club, Po Box 965005, Orlando, FL 32896-5005
15397486	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Aug 24 2021 23:29:26	Synchrony Bank/Sams Club, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15382283	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Aug 24 2021 23:25:00	U.S. Bank National Association, Bankruptcy Department, PO Box 108, Saint Louis MO 63166-0108
15382284	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Aug 24 2021 23:25:00	US Bank/RMS CC, Attn Bankruptcy Dept, Po Box 5229, Cincinnati, OH 45201
		Aug 24 2021 23:25:00	US Bank/RMS CC, Attn: Bankruptcy, Po Box 5229, Cincinnati, OH 45201

TOTAL: 40

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Quicken Loans, LLC
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15382250	*+	Capital One, Attn Bankruptcy Dept, Po Box 30285, Salt Lake City, UT 84130-0285
15382252	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15397080	*+	Cavalry SPV I LLC, 500 Summit Lake Drive, Suite 400, Valhalla, NY 10595-2321
15397083	*+	Discover Financial, Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
15397082	*+	Discover Financial, Attn Bankruptcy Dept, Po Box 3025, New Albany, OH 43054-3025
15382264	*+	First National Bank of Omaha, Attn: Bankruptcy, Po Box 3128, Omaha, NE 68103-0128
15382262	*+	First National Bank of Omaha, Attn Bankruptcy Dept, P.o. Box 3128, Omaha, NE 68103-0128
15382273	*+	Synchrony Bank, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15397086	*+	Target, c/o TD Bank, Po Box 673, Minneapolis, MN 55440-0673
15397087	*+	Target, c/o Financial & Retail Srvs, Mailstop BT POB 9475, Minneapolis, MN 55440-9475

TOTAL: 1 Undeliverable, 11 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the

District/off: 0315-2

User: dsaw

Page 4 of 4

Date Rcvd: Aug 24, 2021

Form ID: 149

Total Noticed: 64

complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 26, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 24, 2021 at the address(es) listed below:

Name	Email Address
Kenneth Steidl	on behalf of Debtor Michael J. Szudarek julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Maria Miksich	on behalf of Creditor Quicken Loans LLC mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpre03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 5